

**United States District Court
Southern District of New York**

In re Terrorist Attacks of September 11, 2001

**03 MDL 1570 (RCC)
ECF Case**

This document relates to:

Continental Cas. Co., et al. v. Al Qaeda, et al., 04-CV-5970 (RCC)

MOTION TO DISMISS OF MAR-JAC POULTRY, INC.

Mar-Jac Poultry, Inc. (“MJP”), by and through the undersigned counsel, pursuant to Federal Rule of Civil Procedure 12(b)(6), hereby moves the Court to dismiss the Plaintiffs’ claims against it in the above-referenced action, for the reasons set forth in MJP’s accompanying Memorandum of Points and Authorities.

WHEREFORE, MJP respectfully requests that the Court grant its Motion to Dismiss, and dismiss all claims against it.

Respectfully submitted, this 13th day of May, 2005

GILLEN PARKER & WITHERS LLC

/s/ Wilmer Parker
Wilmer Parker (WP-1376)
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Counsel for Mar-Jac Poultry, Inc.

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AFFIDAVIT OF SERVICE

The undersigned hereby certifies that he has this day served the foregoing MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT OF MOTION TO DISMISS by filing the same with the United States District Court for the Southern District of New York via the Court's Electronic Case Filing ("ECF") system, which constitutes service upon all parties who are Filing Users in the above-referenced matter, pursuant to Procedure 9 of the Court's Procedures for Electronic Case filing.

This 13th day of May, 2005.

GILLEN PARKER & WITHERS LLC

/s/ Wilmer Parker

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